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**Notice of Allowability**

Application No.

10/614,279

Examiner

D. I. Lee

Applicant(s)

FRUHAUF, SERGE F.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/13/05.
2. ☒ The allowed claim(s) is/are 1-43.
3. ☒ The drawings filed on 07 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                       |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.  |

### **EXAMINER'S AMENDMENT**

1. Receipt is acknowledged of the Amendment filed 13 June 2005. Claims 1, 9, 13, 18, and 23 have been amended; no claims have been canceled; and claims 28-43 have been newly added.
2. Applicant's arguments filed 13 June 2005 with respect to claims 1, 9, 13, 18, 23 and that the processor on the smart card providing the status information to the status register by writing its status to the status register have been fully considered and they are persuasive.
3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Dennis deGuzman on 18 August 2005.

The application has been amended as follows:

#### **IN THE CLAIM:**

Re claim 37, line 6: "it" has been changed to --the processor--; and

Re claim 39, line 6: "it" has been changed to --the processor--.

#### ***Allowable Subject Matter***

4. Claims 1-43 are allowed.
5. The following is an examiner's statement of reasons for allowance:

Feuser et al. [US 6,801,956 B2] discloses a smart card apparatus having: a processor, a status register within the processor to store status information indicative of the status associated with the processor, and an internal reset circuit as a control logic, wherein the control logic can initiate a reset signal. The non-responsive state includes a mute mode, such as a processor failed status, which means no operation may be performed and the internal reset circuit includes part of an universal serial bus (USB)-compliant smart card. Wherein the smart card system includes a means for storing processor status information. Feuser further teaches a means for resetting the processor based on supplied power (i.e., power-on reset) and based on a request (i.e., USB reset). The processor is reset in response to a first signal associated with power supplied to the processor (i.e., power-on reset) and in response to a specific request received from a host device.

Poisner et al. [US 6,269,443 B1] disclose an apparatus for automatically selecting CPU clock frequency multiplier, wherein a system logic device includes processor failure detection unit coupled to a processor and to a clock frequency multiplier indicator circuit and a non-volatile memory device to check a status information stored therein to determine the status of the processor and wherein if the control logic determines that the status information indicates a non-responsive state associated with the processor, the processor failure detection unit can initiate the reset signal to the processor to remove the processor from the non-responsive state (i.e., resetting the processor with making a determination of whether the processor is behaving properly). Poisner further teaches that the reset circuitry coupled between the control logic (i.e., processor failure detection unit) and the processor to provide the reset signal to the processor.

One of ordinary skill in the art would not have been motivated to modify the teachings of Feuser and Poisner, alone or in combination with other references, in order to provide the smart card apparatus having a processor providing the status information to the status register by

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writing its status to the status register; the specifics of the claimed signal lines in relation of the processor, the status register, control logic for specific responses of non-responsive states; the specifics of the claimed communicating lines in relation of the processor and external receiving device for specific responses of routing and for buffering the received external information; and the specifics steps of checking the status information (i.e., instructions to regularly polling a data repository and review the status information after it has been updated in response to a change in status resetting operation (i.e., steps of setting bit prior to the processor's entry into the non-responsive state, updating and clearing steps of non-responsive state), and steps of bit setting to indicate the non-responsive state, as set forth in the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. I. Lee whose telephone number is (571) 272-2399. The examiner can normally be reached on Monday through Thursday from 5:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



D. I. Lee  
Primary Examiner  
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